

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SCOTT D.H. REDMAN, individually and on)	
behalf of all others similarly situated,)	
)	
Plaintiff,)	No. 13 C 3810
)	
v.)	Judge Ellis
)	
CITY OF CHICAGO,)	Magistrate Valdez
)	
Defendant.)	

DECLARATION OF PAUL F. MARKOFF

Paul F. Markoff, being first duly sworn on oath, states that he has personal knowledge of the information contained in this declaration, and if called as witness, he could competently testify as follows:

1. I am one of the attorneys for Plaintiff Scott D.H. Redman, and I present this affidavit in support of Plaintiffs' Petition for Attorneys' Fees and Costs of \$188,500 and \$767.41, respectively.

2. I have been engaged in the private practice of law in the State of Illinois since 1996. I am also admitted to practice in various federal jurisdictions, including the Seventh Circuit, the N.D. Ill., the E.D. Wisc. and the N.D. Ind., and have been admitted to practice *pro hac vice* in many jurisdictions throughout the country. I have been a member of Markoff Leinberger LLC since January 2011 and a member of Markoff Law Firm, LLC since 2007. Prior to that, I was a partner at Crowley Barrett & Karaba, Ltd., for which I worked, from 1994-2007.

3. I received my *juris doctor* degree from DePaul University in 1996 and my Bachelor of Arts degree from The University of Michigan in 1992.

4. I am experienced in the field of class action litigation, having both prosecuted and defended class action cases in various jurisdictions around the country. I also have significant experience in consumer law and litigation, having represented many companies, financial institutions and individuals in consumer class and individual actions. I have extensive first chair experience in handling litigated matters, including the initial assessment, setting strategy, researching, drafting pleadings, conducting and responding to discovery and conducting trials, both bench and jury, and handling appeals.

5. I have been appointed class counsel in many other FACTA-based consumer class cases, including *Armes v. Sogro, Inc.*, no. 08-C244, 2011 WL 1197537, at *4 (E.D. Wisc. Mar. 29, 2011); *Rogers v. Khatra Petro, Inc.*, no. 08-C294, 2010 WL 3894100, at *2 (N.D. Ind. Sept. 29, 2010); and *Armes v. Shanta Enterprise*, no. 07 C 5766, 2009 WL 2020781, at *3 (N.D. Ill. July 8,

Exhibit A

Declaration of Paul F. Markoff

June 29, 2015

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2009); and have been appointed settlement class counsel in several other FACTA cases, namely *Estka v. Chalet Nursery and Garden Shop, Inc.*, no. 12 C 10253 (N.D. Ill.); *Redman v. Radioshack Corporation*, no. 11 C 6741 (N.D. Ill.); *Diehl v. Legoland Discovery Centre US, LLC*, no. 12 C 6932 (N.D. Ill.); *Redman v. Take Care Health Systems, LLC*, no. 11 C 9044 (N.D. Ill.); *Rogers v. Khatra Petro, Inc.*, no. 2:08-cv-294 (N.D. Ind.); *Redman v. Michael Robert Enterprises, Inc.*, no. 10-C2465 (N.D. Ill.); *Benson v. American Mattress, Inc.*, no. 08-C7194 (N.D. Ill.); *Redman v. Metropolitan Pier and Exposition Authority*, no. 08-C1957 (N.D. Ill.); *Armes v. Knights Inn Racine*, no. 08-CV-243 (E.D. Wisc.); *Barlo v. Witham Sav-A-Stop*, no. 2:08-CV-97-PRC (N.D. Ind.); and *Arbelo v. L&M Produce, Inc.*, no. 09-C3428 (N.D. Ill.).

6. Plaintiff requested that I and my firm represent him in pursuing his claim against Defendant, individually and on behalf of a class of similarly-situated individuals. Plaintiff requested that I represent him on a contingency fee basis, because he would not pay hourly for the representation. Plaintiff agreed to pay my firm “the greater of (1) 33% of the Recovery or (2) its Lodestar (hourly rate multiplied by hours expended on matter),” contingent on obtaining a Recovery.

7. In each FACTA case I have handled (more than 20), each plaintiff requested that my firm handle the matter on a contingency fee basis, and in each case my firm agreed to represent those plaintiffs on a contingency fee basis equaling the greater of actual hours multiplied by our then current hourly rate or 33% of a recovery.

8. I have worked with other firms handling FACTA cases, and in each case, those firms also represented their clients on a contingency fee basis with the contingency fee being at least 33% of recovery.

9. While the attorneys for each party have remained cordial, the parties have had disagreements on the merits, whether a class should be certified and the scope of discovery. Additionally, I had significant difficulty obtaining third party discovery and dealing with objections and obstacles put forth by third parties.

10. During settlement negotiations, the parties exchanged various demands and offers, documents, analyses and data regarding class size, claims, defenses, class notice options and expected claims rates.

11. The amount of attorneys’ fees and costs to be paid from the Settlement Fund was disclosed in the class notice, and the Petition and this Declaration will be available on the settlement website, www.clerkcardsettlement.com, shortly after they are filed. The long form notice mailed to most Class Members and available on the settlement website advises Class Members that Class Counsel will seek attorneys’ fees up to \$188,500 plus undetermined costs. An abbreviated notice to be published in the Chicago Tribune will direct Class Members to www.clerkcardsettlement.com or a toll-free number for more information, each of which will provide disclosure of the amount of attorneys’ fees and costs sought.

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June 29, 2015
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12. Through June 25, 2015, in representation of Plaintiff in this case, the legal fees of Markoff Leinberger LLC amounted to \$253,445 for 461.9 hours of work. *See Exhibit 1* hereto, which is a true and accurate copy of my firm's time records in this case, which were entered contemporaneously with the time the work was performed.

13. The above mentioned fee is reasonable based on the time and labor required and the skill requisite to perform the necessary legal services to prosecute the instant case. It is based on the rate \$550 per hour for me and \$500 per hour for my partner, Karl Leinberger. Those rates are customarily charged in this Chicago for similar legal work. The blended rate for my firm's time in this case is \$548.70.

14. My last expressly approved rate was \$550 per hour in February 2014. *See Redman v. Radioshack*, case no. 11 C 6741 (DE 158, at p. 25], 2014 WL 497438, at *10 (N.D. Ill. Feb. 7, 2014), *rev'd on other grounds*, *Redman v. Radioshack Corporation*, 768 F.3d 622 (7th Cir. 2014). Prior to that, I was approved at \$500 per hour in May 2012 in *Crosby v. Regional Trans. Authority*, no. 07 C 6235 (N.D. Ill.). I have submitted declarations seeking Lodestar-based attorneys' fee awards in several other FACTA cases, including the following:

- *Diehl v. Legoland Discovery Centre US, LLC*, no. 12 C 6932 (N.D. Ill.) (Magistrate Maria Valdez approving attorneys' fees, effectively with a multiplier of 1.07, at a rate of \$550 per hour in June 2013).
- *Rogers v. Khatra Petro, Inc.*, no. 2:08-cv-294 (N.D. Ind.) (approving attorneys' fees on declaration specifying rate of \$475 per hour in January 2012).
- *Redman v. Michael Robert Enterprises, Inc.*, no. 10-C2465 (N.D. Ill.) (approving attorneys' fees on declaration specifying rate of \$475 per hour in July 2011).
- *Benson v. American Mattress, Inc.*, no. 08-C7194 (N.D. Ill.) (approving attorneys' fees on declaration specifying rate of \$450 per hour in December 2010).
- *Barlo v Witham Sav-A-Stop*, no. 2:08-CV-97-PRC (N.D. Ind.) (approving attorneys' fees on declaration specifying rate of \$425 per hour in July 2010).
- *Armes v. Shanta Enterprise*, no. 07 C 5766 (N.D. Ill.) (approving attorneys' fees on declaration specifying rate of \$425 per hour in March 2010).

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Page 4

· *Armes v. Knights Inn Racine*, no. 08-CV-243 (E.D. Wisc.) (approving attorneys' fees on declaration specifying rate of \$400 per hour in October 2009).

15. Other senior partner level consumer class action plaintiffs' attorneys charge similar rates. *See e.g., Crosby v. Regional Trans. Authority*, no. 07 C 6235 (N.D. Ill.), at DE 257, ¶12 (approving Lance Raphael at \$615 per hour in 2012); *Balbarin v. North Star Capital Acquisition, LLC*, no. 10 C 1846 (N.D. Ill.), at DE 260-3, ¶40 (Daniel Edelman and others charge \$550 per hour in 2012).

16. The Laffey Matrix, from *Laffey v. Northwest Airlines, Inc.*, 572 F. Supp. 354 (D.D.C. 1983), also justifies the aforementioned rates. The Laffey Matrix, identifying appropriate hourly rates and updated by the U.S. Attorney for the District of Columbia, effectively arose out of *Covington v. District of Columbia*, 839 F. Supp. 894 (D.D.C. 1993), in which the Court approved an hourly rate of \$260 per hour for attorneys with 11-19 years of experience for the time period 1992-1993. The Laffey Matrix is updated each year by adding the change in the overall cost of living, as reflected in the United States Consumer Price Index ("CPI") for Washington, D.C. *Smith v. District of Columbia*, 466 F. Supp. 2d 151, 156 (D.D.C. 2006).

17. "The Laffey Matrix commonly is used to calculate hourly rates in statutory fee-shifting cases, but it also is used to calculate the 'lodestar' hourly rate for attorney's fees in class action litigation." *Carr v. Tillery*, no. 07-314-DRH, no. 07-314-DRH, 2010 WL 1963398, at *7 (S.D. Ill. May 17, 2010). Courts in the Seventh Circuit have expressly or implicitly approved use of the Laffey Matrix for determine appropriate hourly rates. *See e.g., Arch v. Glendale Nissan*, no. 03 C 7297, 2005 WL 1421140, at *1 (N.D. Ill. June 7, 2005); *Samuel v. Barnhart*, 316 F. Supp. 2d 768, 781-82 (E.D. Wisc. 2004); *Sadler v. Barnhart*, no. 02 C 6891, 2004 WL 419908, at *3 (N.D. Ill. Feb. 25, 2004); *Covington-McIntosh v. Mount Glenwood Memory Gardens South, Inc.*, no. 00 C 0186, 2004 WL 2700482, at *4 (N.D. Ill. Feb. 12, 2004); *Embry v. Barnhart*, no. 02 C 3821, 2003 WL 22478769, at *2 (N.D. Ill. Oct. 31, 2003).

18. The Laffey Matrix is appropriately adjusted from the Washington-Baltimore market rates to account for different costs of living depending on location. In *In re HPL Technologies, Inc. Securities Litigation*, 366 F. Supp. 2d 912, 921 (N.D. Cal. 2005), the Court adjusted rates upward from the Laffey Matrix by 9% to account for the different pay differentials in the District of Columbia (+15.98%) and the San Francisco-Oakland-San Jose (+26.39%) areas.

19. The 2015 pay differential for Chicago is +25.10% versus +24.22% for the Washington-Baltimore area. Accordingly, the Laffey Matrix should adjusted upward .88%. *See Exhibit 2* (<http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2015/general-schedule/>).

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June 29, 2015
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20. The current Laffey Matrix hourly rate for attorneys with 11-19 years of experience is \$460. See **Exhibit 3** (http://www.justice.gov/sites/default/files/usao-dc/legacy/2014/07/14/Laffey%20Matrix_2014-2015.pdf). However, the Laffey Matrix does not account for location or other factors, such as the rate freeze reflected in Office of Personnel Management's Locality Pay Tables.

21. Others have used the Adjusted Laffey Matrix to reflect more accurate hourly rates, namely that the Adjusted Laffey Matrix calculates rates using the legal services component of the CPI rather than the general CPI. See e.g., *Smith*, 466 F. Supp. 2d at 156. The current hourly rate under the Adjusted Laffey Matrix for attorneys with 11-19 years of experience is \$655. See **Exhibit 4** (see www.laffeymatrix.com/see.html).

22. Attorney rate surveys also justify the aforementioned rates. Surveys are an appropriate method of ascertaining appropriate market rates for attorneys' fees. See e.g., *FDIC v. Morris*, no. 91 C 3050, 1992 U.S. Dist. LEXIS 9439 (N.D. Ill. June 29, 1992); *Alliance to End Repression v. City of Chicago*, no. 74 C 3268, 1993 U.S. Dist. LEXIS 1972 (N.D. Ill. Feb. 22, 1993); *Vyshnevskaya v. Park Ridge Oldsmobile*, no. 02 C 6172, 2003 U.S. Dist. LEXIS 11222 (N.D. Ill. June 30, 2003).

23. Whether the firm is large or small is irrelevant to determining a reasonable rate. See e.g., *Bailey v. District of Columbia*, 839 F. Supp. 888, 891 (D.D.C. 1993). A court "may not reduce the established market rate by some factor that it believes accounts for differences between large firms and small firms. To do so would unfairly punish consumers seeking an even playing field by hiring competent counsel. Lawyers of common expertise and experience in the same market are entitled to the same rate." *Bankston v. Illinois*, 60 F.3d 1249, 1255 (7th Cir. 1995). "[A]ttorneys like plaintiffs' counsel, operating either as solo practitioners or in small firms, often lack resources to retain a large staff of junior lawyers who could handle such tasks more economically. Denying plaintiffs compensation for these tasks would unfairly punish plaintiffs and their counsel for not staffing this case as if they had the manpower of a major law firm." *Bailey*, 839 F. Supp. At 891. "It should be obvious that an award of fees for a lawyer's services should be no different if the lawyer is (for example) a sole practitioner than if the identical lawyer is a member of a 100-lawyer firm, or if the lawyer is (for example) a multimillionaire than if the identical lawyer has all his or her assets tied up in a bare-bones law office and a fully mortgaged home." *Lippo v. Mobil Oil Corp.*, 692 F. Supp. 826, 842 (N.D. Ill. 1998).

24. Notably, the National Law Journal survey determined non-contingent rates are typically paid monthly, rather than contingent on recovery after years of litigation. My firm's fees are contingent upon recovery in this case.

A contingent fee must be higher than the fee for the same legal services as they are performed. The contingent fee compensates the lawyer not only for the legal services he renders, but also for the loan of those services. The

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implicit interest rate on such a loan is higher because the risk of default (the loss of the case, which cancels the debt of the client to the lawyer) is much higher than that of a conventional loan.

Posner, Economic Analysis of Law (4th ed. 1992), 534, 567.

25. By all objective measures, my firm's hourly rates are reasonable.

26. Additionally, Markoff Leinberger LLC has incurred \$767.41 in costs (\$400 filing fee; \$218.75 court reporter fee; \$56.16 messenger fees; and \$92.50 in witness fees). *See* **Exhibit 1**.

27. Attached hereto as **Exhibit 5** is a true and correct copy of the Class Administrator's proposal, which identifies an estimate for class notice costs of \$15,541 and claim processing and distribution costs of \$7,929. The proposal estimates total notice and administration costs of \$34,048.

Under penalties as provided by law pursuant to 28 U.S.C. § 1746, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

s/ Paul F. Markoff
Paul F. Markoff

Dated: June 29, 2015

Markoff Leinberger LLC
134 N LaSalle St Ste 1050
Chicago, IL 60602



Invoice

312.726.4162 (p)
312.674.7272 (f)

Invoice #: 563
Invoice Date: 6/26/2015
Due Date: 6/26/2015
Account #: 1036-18
Project: City of Chicago

Scott D.H. Redman

FEIN	redacted
paul@markleinlaw.com	

Date	Description	Attorney/Rate	Hours/Qty	Amount
5/17/2013	Meeting with client re potential FACTA claim, redacted ; review receipts (.4)	PFM 550	0.40	220.00
5/22/2013	Emails to/from client re redacted (.4); legal research re recent FACTA rulings, potential immunity, City of Chicago's position and pleadings in prior FACTA case in which the City was a defendant (1.5); research re city sticker, parking permit processes and information gathered (.8); legal research re wheel tax ordinance and its potential impact vis-a-vis class definition (.9); research re City Clerk's office, City Clerk; legal research re CFA truncation requirement, legislative history and City Clerk's co-sponsorship of, and voting record re, same (1.0); draft complaint (.9); meeting with K. Leinberger re class definition, alternatives (.3); emails/attachments to/from client re draft complaint, class definition (.3); finalize complaint, draft civil cover sheet, appearance, request for waiver, waiver; file (.5); draft motion to certify class, supporting brief, notice (1.8)		8.40	4,620.00
5/23/2013	Tasks regarding filing appearance (.2)	KGL 500	0.20	100.00
5/23/2013	Review ECF entry re assignment of case (.1); finalize brief supporting motion for class cert. in light of assignment, notice (.3); finalize waiver, request for waiver (.2); review judge's rules re motions, courtesy copies (.2); legal research re recent FACTA case on potential immunity (.4)	PFM 550	1.20	660.00
6/5/2013	Review of court order (.1)	KGL 500	0.10	50.00
		Total This Invoice		
		Job Balance Total		

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Exhibit 1

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6/5/2013	Court appearance re motion for class cert.; review order; mail copy of order to Corporation Counsel (1.0); receive executed waiver from City, file same (.2); research re counsel (1.1)	PFM 550	2.30	1,265.00
6/6/2013	Draft 26(a) disclosure and partial draft of discovery requests (2.0)	PFM 550	2.00	1,100.00
6/7/2013	Draft discovery requests; research re prior FACTA case against City, Der-Yeghiayan FACTA cases (2.2)	PFM 550	2.20	1,210.00
6/10/2013	Review appearance (.1)	PFM 550	0.10	55.00
6/10/2013	Review of attorney appearance for defendant (.1)	KGL 500	0.10	50.00
6/25/2013	Review of 2 attorney appearances (.1)	KGL 500	0.10	50.00
7/10/2013	Review court's order/forms re initial status filings (.4); research re supporting venue claims (.5); draft joint initial status report, joint jurisdictional status report (1.6); email/attachments to opposing counsel re same (.2)	PFM 550	2.70	1,485.00
7/15/2013	Email/attachment to opposing counsel re initial status hearing submissions (.1)	PFM 550	0.10	55.00
7/16/2013	Emails from/to opposing counsel re 26(f) conference (.2)	PFM 550	0.20	110.00
7/17/2013	Emails/attachments with opposing counsel re status reports, revisions to same; file (.5); emails/attachments with client re redacted (.2)	PFM 550	0.70	385.00
7/22/2013	Review of answer and affirmative defense by defendant (.9)	KGL 500	0.90	450.00
7/22/2013	Review defendant's answer and affirmative defense (.5); review rules re notice of constitutional challenge (.2); emails from/to opposing counsel re discussion about case (.1)	PFM 550	0.80	440.00
		Total This Invoice		
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7/23/2013	Telephone conferences, emails/attachments with B. Murphy re case, settlement, discovery; prepare documents for disclosure (.6)	PFM 550	0.60	330.00
7/24/2013	Court appearance re initial status hearing (1.0); further drafting/revision of discovery requests, 26(a) disclosures (1.2)	PFM 550	2.20	1,210.00
7/24/2013	Review of court order (.1)	KGL 500	0.10	50.00
7/25/2013	Review discovery response deadline, potential discovery targets (.3)	PFM 550	0.30	165.00
8/16/2013	Draft proposed protective order and motion re same (1.3); telephone conference with I. Colunga re same, discovery (.2); emails/attachments re same, discovery, 26(a) disclosure (.2); review defendant's 26(a) disclosure (.4); emails to Jones Day re NTT Data (.1); research NTT Data (.3)	PFM 550	2.50	1,375.00
8/19/2013	Analysis of defendant's Rule 26 disclosures (.5)	KGL 500	0.50	250.00
8/20/2013	Emails from/to client re status (.2); emails from/to E. Jenkins re conversation re NTT (.1)	PFM 550	0.30	165.00
8/21/2013	Telephone conference with E. Jenkins re NTT; email/attachment to E. Jenkins re same (.3)	PFM 550	0.30	165.00
8/22/2013	Email to E. Jenkins re NTT (.1)	PFM 550	0.10	55.00
8/23/2013	Review of defendant's answers to requests to admit (.5)	KGL 500	0.50	250.00
8/23/2013	Emails from/to opposing counsel re defendant's request for extension to answer discovery (.2); emails/attachments with all counsel re defendant's response to requests to admit, plaintiff's request for 37.2 conference (.3); review defendant's responses (.4); email/attachment to client re same (.1)	PFM 550	1.00	550.00
8/27/2013	Review of e-mail from opposing counsel (.1)	KGL 500	0.10	50.00
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8/27/2013	Emails from/to opposing counsel re 37.2 conference (.1)	PFM 550	0.10	55.00
8/29/2013	Review documents for 37.2 conference with opposing counsel (.2); 37.2 conference with I. Colunga (2pm-2:30 pm) re requests to admit (.5)	PFM 550	0.70	385.00
9/26/2013	Review defendant interrogatory and document production responses (no documents produced) (.8); emails to/from all counsel re document production, requesting 37.2 conference, confirming no supplement to request to admit response following prior 37.2 conference re same (.7)	PFM 550	1.50	825.00
9/26/2013	Review of e-mail from Paul Markoff (.1); review of e-mail from opposing counsel (.1)	KGL 500	0.20	100.00
9/27/2013	Email from opposing counsel re protective order (.1); finalize motion re same, exhibits, notice (.5); email/attachment to court re proposed order (.1); research re Sears Payment Systems; email to opposing counsel re interrogatory response not matching facts (in particular non-existence of Sears Payment Systems during time Defendant discloses to have used it) (1.0); research re Vantiv; draft document rider, subpoena, notice re same (1.4); research re Sears Payment Systems; emails to/from I. Colunga re same (1.2)	PFM 550	4.30	2,365.00
9/27/2013	Review of motion for protective order and proposed order (.7)	KGL 500	0.70	350.00
10/2/2013	Emails with opposing counsel re rescheduling 37.2 conference (.1)	PFM 550	0.10	55.00
10/3/2013	Review of court order (.1)	KGL 500	0.10	50.00
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		Job Balance Total		

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10/4/2013	Review documents, draft subpoena and document rider to NTT, notice of subpoena re same (1.9)	PFM 550	1.90	1,045.00
10/7/2013	Review defendant discovery responses to prepare for 37.2 conference (.5); 37.2 conference (11 am) with I. Colunga (.7); review defendant's supplemental response to requests to admit (.4)	PFM 550	1.60	880.00
10/9/2013	Telephone conference with P. Perkinson re subpoena to Vantiv (.3)	PFM 550	0.30	165.00
10/14/2013	Legal research re summary judgment developments in FACTA litigation, what constitutes a "knowing" violation (3.8)	PFM 550	3.80	2,090.00
10/15/2013	Review letter from opposing counsel re document production (.1)	PFM 550	0.10	55.00
10/16/2013	Review documents and privilege log produced by defendant (2.7); telephone conference with E. Jenkins re subpoena to NTT (.2); legal research re summary judgment vis-a-vis willful standard (3.5)	PFM 550	7.40	4,070.00
10/17/2013	Review additional documents produced by defendant (1.9)	PFM 550	1.90	1,045.00
10/21/2013	Partial review of additional documents produced by City (2.3); email to I. Colunga re missing exhibits from NTT contract (.1)	PFM 550	2.40	1,320.00
10/22/2013	Cursory review of NTT objections; emails/attachment from/to E. Marino re same, requesting 37.2 conference (.3); further review of latest documents produced by City (1.9)	PFM 550	2.20	1,210.00
10/23/2013	Further review of City's document production (2.1); emails from/to I. Colunga re missing exhibits to NTT contract (.3)	PFM 550	2.40	1,320.00
10/25/2013	Review of court order reassigning case (.1)	KGL 500	0.10	50.00
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10/25/2013	Review order reassigning case (.1); research re new judge and her background with the City of Chicago Law Dept.; legal research re recusal standards (1.5); emails to/from opposing counsel re same, document production (.2); review additional documents produced by City (2.1)	PFM 550	4.00	2,200.00
10/28/2013	Review of court order (.1)	KGL 500	0.10	50.00
10/28/2013	Review order re initial status conference, vacating current dates (.1); review judge's status report form (.2); voicemails from/to E. Marino re NTT subpoena (.1); draft joint status report (1.5); email/attachment to all counsel re same (.1); telephone conference with P. Perkinson re subpoena to Vantiv (.1)	PFM 550	2.10	1,155.00
10/29/2013	Conference calls with Vantiv counsel re subpoena (.7); emails/attachment re protective order in case (.1)	PFM 550	0.80	440.00
10/30/2013	Emails from/to Vantiv counsel, Eric Gribbin, re protective order; review same (.3); conference call with Vantiv in-house and outside counsel re same, document production, factual background (.3)	PFM 550	0.60	330.00
11/1/2013	Emails/attachments re joint status report; revise same (.5); review documents produced by Vantiv (2.0); emails to/from E. Gribbin re same, objections (.2); emails/attachment to/from I. Colunga re Vantiv docs (.2)	PFM 550	2.90	1,595.00
11/4/2013	Review of status report (.2)	KGL 500	0.20	100.00
11/7/2013	Review defendant's discovery responses; legal research re and draft brief supporting motion to compel (4.2)	PFM 550	4.20	2,310.00
11/8/2013	Review of court order (.1)	KGL 500	0.10	50.00
Total This Invoice				
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11/8/2013	Review order (.1); further research re and drafting motion to compel and brief supporting same (3.2); legal research re and preliminary drafting of brief supporting motion to compel re NTT (1.4); email/attachment to E. Marino re same (.1)	PFM 550	4.70	2,585.00
11/11/2013	Emails from/to E. Marino re subpoena to NTT (.3); 37.2 conference call with E. Marino, J. Daly re same (2:00 p) (.5); legal research re and drafting of brief supporting motion to compel re NTT (2.6); email to, telephone conference with, I. Colunga re judge's employment history with Defendant, discovery status, upcoming status hearing, settlement options (.4)	PFM 550	3.80	2,090.00
11/12/2013	Review of motion to compel (.2); review of memorandum in support of motion to compel (.8)	KGL 500	1.00	500.00
11/13/2013	Emails from/to opposing counsel re Judge Ellis' work experience at City of Chicago (.1)	PFM 550	0.10	55.00
11/15/2013	Telephone conference with E. Marino re status of NTT position on subpoena, production timeline (none stated) (4:00 pm) (.2)	PFM 550	0.20	110.00
11/18/2013	Court appearance re status (1.0); review court's standing orders re discovery motions, motions for summary judgment, class cert. dismissal stips (.2); draft proposed stipulation re dismissal of class cert. motion; email/attachment to opposing counsel re same (.6)	PFM 550	1.80	990.00
11/20/2013	Review of court order (.1); review of e-mail from opposing counsel (.1)	KGL 500	0.20	100.00
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Invoice

312.726.4162 (p)
312.674.7272 (f)

Invoice #: 563
Invoice Date: 6/26/2015
Due Date: 6/26/2015
Account #: 1036-18
Project: City of Chicago

Scott D.H. Redman

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Date	Description	Attorney/Rate	Hours/Qty	Amount
11/20/2013	Emails from/to opposing counsel re class cert. dismissal stip, discovery (.1); finalize class cert. dismissal stip and file (.2)	PFM 550	0.30	165.00
11/27/2013	Review additional document produced by Vantiv (3.2); email to E. Gribbin re same (.1); email to I. Colunga, E. Marino re document production from City, NTT (.1); emails from/to E. Marino re same (.2)	PFM 550	3.60	1,980.00
12/2/2013	Emails re document production, protective order (.3)	PFM 550	0.30	165.00
12/6/2013	Emails from/to counsel re NTT proposed rider to protective order; review/analyze same (.4)	PFM 550	0.40	220.00
12/10/2013	Emails from/to E. Marino re NTT documents, confidentiality (.2)	PFM 550	0.20	110.00
12/11/2013	Email from E. Marino re NTT production (.1)	PFM 550	0.10	55.00
12/19/2013	Email to I. Colunga re discovery (.1)	PFM 550	0.10	55.00
12/20/2013	Emails from/to opposing counsel re discovery (.2)	PFM 550	0.20	110.00
1/3/2014	Review of court order (.1)	KGL 500	0.10	50.00
1/3/2014	Review order (.1)	PFM 550	0.10	55.00
1/13/2014	Email to opposing counsel requesting additional 37.2 conference (.1)	PFM 550	0.10	55.00
1/14/2014	Email from opposing counsel re meeting with City, 37.2 conference (.1); telephone conference with I. Colunga re discovery dispute, forthcoming discovery responses (.4)	PFM 550	0.50	275.00
1/20/2014	Review defendant's supplemental interrogatory answers (.3)	PFM 550	0.30	165.00
1/28/2014	Emails to/from opposing counsel re defendant's failure to produce promised documents (.2)	PFM 550	0.20	110.00
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1/29/2014	Review documents re and draft demand letter; meeting with K. Leinberger re same; revise same (3.0); emails from/to client re status of case, settlement demand (.2); research re The Active Network, its operations and products and ability to subpoena same (.9); email/attachment to opposing counsel re demand letter (.1)	PFM 550	4.20	2,310.00
2/7/2014	Telephone conference with opposing counsel re discovery, settlement (.3)	PFM 550	0.30	165.00
2/10/2014	Review records re and draft subpoena, document rider, notice to Active Network (1.0); legal research re new subpoena FRCP 45 (.5)	PFM 550	1.50	825.00
2/12/2014	Email from opposing counsel re discovery, discovery schedule (.1)	PFM 550	0.10	55.00
2/19/2014	Emails from/to opposing counsel re Active Network subpoena (.1)	PFM 550	0.10	55.00
2/24/2014	Telephone conference with D. Almeida re subpoena to Active Network (.3)	PFM 550	0.30	165.00
2/26/2014	Emails from/to D. Almeida re his requested extension to respond to Active Network subpoena (.2)	PFM 550	0.20	110.00
3/5/2014	Emails to/from opposing counsel re discovery extension (.2)	PFM 550	0.20	110.00
3/7/2014	Emails/attachments with opposing counsel re motion for extension; review proposed motion and revised version (.5)	PFM 550	0.50	275.00
3/10/2014	Review order (.1); review filed motion for extension, notice (.2)	PFM 550	0.30	165.00
3/12/2014	Review order (.1)	PFM 550	0.10	55.00
3/21/2014	Telephone conference with D. Almeida and associate re Active production (.4)	PFM 550	0.40	220.00
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3/31/2014	Emails to/from D. Almeida re Active production (.1); review documents produced by Active Network (2.5)	PFM 550	2.60	1,430.00
4/2/2014	Emails to/from opposing counsel re settlement, discovery (.3)	PFM 550	0.30	165.00
4/7/2014	Process thousands of pages of documents produced by City into usable format (1.5)	PFM 550	1.50	825.00
4/8/2014	Partial review of documents produced by City (2.5); email to I. Colunga re missing attachments to produced emails (.1); email to D. Almeida re documents missing from Active production (.1)	PFM 550	2.70	1,485.00
4/9/2014	Telephone conference with Active counsel re production (.2); review City documents (3.1)	PFM 550	3.30	1,815.00
4/10/2014	Review City documents (1.9)	PFM 550	1.90	1,045.00
4/14/2014	Review discovery requests from defendant (.4); email/attachment from opposing counsel re same (.1); email/attachments to client re same (.1); email from opposing counsel re missing attachments from defendant's document production (.1)	PFM 550	0.70	385.00
4/23/2014	Emails from/to opposing counsel re document production, depositions (.2)	PFM 550	0.20	110.00
4/24/2014	Further review of City document production (3.8)	PFM 550	3.80	2,090.00
4/25/2014	Further review of City documents, including correlation with reproduced/newly-produced set of same Bates range with previously missing documents included (1.9)	PFM 550	1.90	1,045.00
4/28/2014	Further review of City documents (1.8); partial process/conversion of NTT docs (1.1)	PFM 550	2.90	1,595.00
5/5/2014	Further processing of NTT docs (2.5)	PFM 550	2.50	1,375.00
5/6/2014	Partial review of NTT docs (6.5)	PFM 550	6.50	3,575.00
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5/7/2014	Continued review of NTT docs (6.3); research Solutionary vis-a-vis NTT (.4); email to E. Marino re subpoena to Solutionary (.1); telephone conference with judge's clerk re motion to compel rules (.1)	PFM 550	6.90	3,795.00
5/8/2014	Continued review of NTT docs (4.8); telephone conference with judge's clerk re motion to compel rules (.1)	PFM 550	4.90	2,695.00
5/9/2014	Emails to/from opposing counsel re settlement, document production, depositions (.2); continued review of NTT documents (5.2); research re Tender Retail, MCM and parent (1.0);	PFM 550	6.40	3,520.00
5/13/2014	Process additional documents from City (4.5)	PFM 550	4.50	2,475.00
5/14/2014	Further processing of City docs (1.0); review additional docs from Active Network (.5)	PFM 550	1.50	825.00
5/19/2014	Process documents from City (1.3)	PFM 550	1.30	715.00
5/20/2014	Draft discovery responses (2.2); emails/attachments to client re same (.2); emails from/to opposing counsel re same (.2); further processing of City's documents (.5); review City document production (4.3)	PFM 550	7.40	4,070.00
5/21/2014	Further review of City documents (4.5)	PFM 550	4.50	2,475.00
5/22/2014	Telephone conference, emails/attachments with client re redacted (.7); review City's privilege log; factual research re identifying listed individuals (full names, positions not provided) and privileges claimed (1.0) legal research re attorney-client and work product privileges (1.5); email to opposing counsel re improper/inadequate assertions of privileges (.4)	PFM 550	3.60	1,980.00
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5/28/2014	Emails from/to opposing counsel re document production (.1)	PFM 550	0.10	55.00
6/3/2014	Telephone conference with client re status (.1)	PFM 550	0.10	55.00
6/9/2014	Work on plaintiff's document production (4.9); telephone conference with I. Colunga re same, upcoming status hearing, depositions, settlement (.2)	PFM 550	5.10	2,805.00
6/10/2014	Court appearance re status (1.0); draft notices of depositions, topics rider (1.5); meeting with, email to, client re status (.2)	PFM 550	2.70	1,485.00
6/12/2014	Telephone conference with magistrate's clerk re settlement conference dates; telephone conference with, and email to, I. Colunga re same (.3)	PFM 550	0.30	165.00
6/13/2014	Review of 2 court orders (.2)	KGL 500	0.20	100.00
6/13/2014	Review order (.1); telephone conference, emails with opposing counsel re settlement conference, status hearing (.2); telephone conference with court clerk re same (.1); review additional order (.1)	PFM 550	0.50	275.00
7/10/2014	Review/analyze settlement offer from defendant (.5); emails/attachment to/from client re redacted (.4); revise topics rider and update 30(b)(6) notice of deposition to defendant (.5); draft topics rider, subpoena, notice of deposition re NTT (1.1); email/attachment to NTT counsel re same (.1)	PFM 550	2.60	1,430.00
7/15/2014	Telephone conference with I. Colunga re unavailability of City's corporation counsel for depositions and settlement conference (.3)	PFM 550	0.30	165.00
7/17/2014	Review of court order (.1)	KGL 500	0.10	50.00
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7/17/2014	Emails re rescheduling settlement conference; settlement discussions (.4); review order (.1)	PFM 550	0.50	275.00
7/18/2014	Review of court order (.1)	KGL 500	0.10	50.00
7/18/2014	Emails to/from E. Marino re NTT deposition (.2); investigate City contracting documents re NTT, Active; review City privacy protection policies (2.1); review order (.1)	PFM 550	2.40	1,320.00
7/21/2014	Telephone conference with E. Marino re NTT deposition (.1); analyze City's settlement offer and craft counter-demand; emails/attachment to/from client re redacted	PFM 550	4.10	2,255.00
7/22/2014	(2.8); legal research re same (1.2) Review/analyze NTT contract vis-a-vis settlement demand (1.9); review settlement demand; email/attachment to client re same (.2)	PFM 550	2.10	1,155.00
7/23/2014	Further revise demand (.4); email/attachment re same, depositions (.2)	PFM 550	0.60	330.00
7/24/2014	Emails from/to client re redacted (.3)		0.30	165.00
8/11/2014	Review NTT objections (.3); emails/attachment to/from E. Marino re same (.1); review amended objections (.2)	PFM 550	0.60	330.00
8/18/2014	Telephone conference with opposing counsel re potential settlement meeting between parties (.2); email to client re same (.1)	PFM 550	0.30	165.00
8/19/2014	Emails with opposing counsel, client re settlement meeting (.5)	PFM 550	0.50	275.00
8/20/2014	Emails re settlement meeting (.3)	PFM 550	0.30	165.00
9/4/2014	Preparation for and attend settlement meeting with opposing counsel (2.5)	PFM 550	2.50	1,375.00
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Date	Description	Attorney/Rate	Hours/Qty	Amount
9/26/2014	Email to opposing counsel re depositions (.1); email to J. Daly re deposition of NTT Data (.1)	PFM 550	0.20	110.00
10/1/2014	Draft amended notice of deposition (.4); telephone conference with J. Daly re NTT deposition (.1)	PFM 550	0.50	275.00
10/6/2014	Email from opposing counsel re settlement (.1); emails to/from client re same (.1)	PFM 550	0.20	110.00
10/7/2014	Emails from/to client re redacted (.2); email to opposing counsel rejecting settlement offer (.1); email to J. Daly re NTT deposition (.1)	PFM 550	0.40	220.00
10/8/2014	Email/attachment to J. Daly re NTT deposition (.1); telephone conference with J. Daly re same (.1)	PFM 550	0.20	110.00
10/9/2014	Telephone conference with I. Colunga re settlement, depositions (.2)	PFM 550	0.20	110.00
10/10/2014	Emails to/from client re redacted (.3); review new interrogatories from defendant; email/attachments to/from client re same (.4)	PFM 550	0.70	385.00
10/13/2014	Emails, telephone conference with client re redacted ; meeting with K. Leinberger re redacted (1.8); work on settlement options in anticipation of upcoming settlement conference (2.9); meeting with K. Leinberger re redacted (.5)	PFM 550	5.20	2,860.00
10/13/2014	Review of draft interrogatory answers and investigation of any referred matters involving Crowley firm (1.4)	KGL 500	1.40	700.00
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10/14/2014	Review magistrate's settlement conference order; draft demand letter (1.3); emails/attachments to/from client re same; revise same (.4)	PFM 550	1.70	935.00
10/15/2014	Finalize settlement demand (.4); email to opposing and NTT counsel re depositions (.1); telephone conference with opposing counsel re settlement (.2); emails to/from client re same (.2)	PFM 550	0.90	495.00
10/16/2014	Analyze City's offer; telephone conference with, and emails from/to, client re redacted (1.2); emails from/to J. Daly re NTT deposition (.1)	PFM 550	1.30	715.00
10/17/2014	Emails to/from client re redacted (.4); email to opposing counsel re same, depositions (.3)	PFM 550	0.70	385.00
10/20/2014	Telephone conference with I. Colunga re motion for relief from order (.1); emails/attachment re same (.4)	PFM 550	0.50	275.00
10/20/2014	Review of defendant's motion for partial relief (.3)	KGL 500	0.30	150.00
10/21/2014	Review of amended notice of motion for miscellaneous relief (.1)	KGL 500	0.10	50.00
10/21/2014	Review amended notice of motion (.1)	PFM 550	0.10	55.00
10/22/2014	Review of court order (.1)	KGL 500	0.10	50.00
10/22/2014	Review order (.1); email to, telephone conference with, J. Daly re NTT deposition (.2); emails to/from I. Colunga re same (.2)	PFM 550	0.50	275.00
10/23/2014	Review NTT objections to subpoena (.4)	PFM 550	0.40	220.00
10/24/2014	Telephone conference with client re redacted (redacted) (.2); letter to Magistrate Valdez and prepare prior correspondence for submission (.5)	PFM 550	0.70	385.00
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10/27/2014	Review of letter to Judge Valdez (.1); review of settlement correspondence between parties (.5)	KGL 500	0.60	300.00
10/29/2014	Draft responses to second set of interrogatories; email/attachment to client re same (1.5)	PFM 550	1.50	825.00
10/30/2014	Finalize interrogatory responses, disseminate (.4); preparation for and attendance at settlement conference; meetings with client before and after same (4.0)	PFM 550	4.40	2,420.00
10/31/2014	Emails to/from opposing counsel re discovery extension (.2); telephone conference with D. Almeida re Active Network discovery (.5)	PFM 550	0.70	385.00
11/4/2014	Review of court order (.1)	KGL 500	0.10	50.00
11/5/2014	Review orders (.2)	PFM 550	0.20	110.00
11/7/2014	Email to I. Colunga re scheduling (.1); emails to/from D. Almeida re Active Network deposition (.2)	PFM 550	0.30	165.00
11/10/2014	Email from opposing counsel re hearing (.1); telephone conference with client re status (.1)	PFM 550	0.20	110.00
11/12/2014	Court appearance re status (1.0); email to client re status (.1); email to J. Daly re NTT dep (.1); gather key docs (.5)	PFM 550	1.70	935.00
11/12/2014	Review of court order (.1)	KGL 500	0.10	50.00
11/17/2014	Email from J. Daly re NTT deposition (.1)	PFM 550	0.10	55.00
11/19/2014	Review Active document production vis-a-vis subpoena requests; emails to/from D. Almeida re same, needed further production (2.1); review defendant's discovery responses; email to I. Colunga re whether City is going to supplement discovery responses; preliminary list of additional docs needed from City (.9)	PFM 550	3.00	1,650.00
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11/20/2014	Emails from/to opposing counsel re supplementing City's discovery responses; telephone conference with I. Colunga re same, particularly re disclosure of employee transactions (.4); further review of City documents to cull for depositions (4.1)	PFM 550	4.50	2,475.00
11/24/2014	Further review of City docs for depositions (3.5)	PFM 550	3.50	1,925.00
11/25/2014	Emails from/to opposing counsel re employee transactions (.2); further review of City documents (7.2)	PFM 550	7.40	4,070.00
11/26/2014	Continued review of City documents (5.1)	PFM 550	5.10	2,805.00
12/1/2014	Further review of City documents (5.5)	PFM 550	5.50	3,025.00
12/4/2014	Telephone conference with, emails to, J. Daly re NTT depositions (.3); further review of City docs (2.8)	PFM 550	3.10	1,705.00
12/5/2014	Further review of City docs (3.5)	PFM 550	3.50	1,925.00
12/8/2014	Further review of City docs (1.8)	PFM 550	1.80	990.00
12/9/2014	Further review of City docs (3.7)	PFM 550	3.70	2,035.00
12/10/2014	Further review of City documents (3.5)	PFM 550	3.50	1,925.00
12/11/2014	Further review of City docs (2.1); partial review of NTT docs (1.8)	PFM 550	3.90	2,145.00
12/17/2014	Email to J. Daly re NTT depositions (.2); emails from/to I. Colunga re City documents, depositions; research document requests to respond to opposing counsel (1.1)	PFM 550	1.30	715.00
12/18/2014	Further review of NTT docs and native productions (3.8)	PFM 550	3.80	2,090.00
12/19/2014	Review NTT docs (5.8)	PFM 550	5.80	3,190.00
12/22/2014	Further review of NTT documents (1.5); emails to/from D. Almeida re Active Network (.1)	PFM 550	1.60	880.00
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12/23/2014	Telephone conference with D. Almeida re Active Network docs and deposition(s) (.5); further review of NTT docs (1.8); email to J. Daly re NTT depositions (.1); research re location of NTT employees (1.5); email to opposing counsel re depositions (.4)	PFM 550	4.30	2,365.00
12/24/2014	Further review of NTT docs (6.0)	PFM 550	6.00	3,300.00
1/5/2015	Emails from/to NTT counsel re depositions (.3)	PFM 550	0.30	165.00
1/6/2015	Email from J. Daly re depositions (.1)	PFM 550	0.10	55.00
1/7/2015	Emails to/from opposing counsel re depositions, docs (.1)	PFM 550	0.10	55.00
1/8/2015	Telephone conference with I. Colunga re document production, depositions, settlement, stipulation re depositions (.4)	PFM 550	0.40	220.00
1/9/2015	Conference call with Jones Day counsel re NTT depositions (.3); email to Jones Day counsel re same (.1); telephone conference with I. Colunga re depositions, settlement; email to I. Colunga re same, proposed stipulation (.5); draft proposed stipulation re deposition count (.3); draft notice of depositions re City (.5); work on scheduling, logistics of all depositions, travel (1.0); email to D. Almeida re Active deposition, documents (.1)	PFM 550	2.80	1,540.00
1/13/2015	Draft subpoenas, notices to many individuals, entities; emails/attachments re same, venues (4.5); emails from/to Active counsel re docs, dep. (.2); emails/attachment to/from B. Goldstein, City counsel re deposition, service of subpoena (.4)	PFM 550	5.10	2,805.00
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1/14/2015	Email from opposing counsel re Goldstein deposition (.1); telephone conference with I. Colunga re settlement, depositions, document production (.1); prepare B. Goldstein subpoena for service (.1); draft Active subpoena, topics rider, notice (.5); emails to/from client re status, depositions, strategy (.3)	PFM 550	1.10	605.00
1/15/2015	Finalize subpoena, notice of deposition, Vancouver arrangements re Active Network deposition (.5)	PFM 550	0.50	275.00
1/16/2015	Emails, telephone conference with B. Murphy re settlement (.7); consider various settlement options/calculations (1.8); telephone conference with client re same (.2); email to client re same (.5); draft amended subpoena and notice of dep re D. Sellar (.2)	PFM 550	3.40	1,870.00
1/19/2015	Begin culling of keys docs for depositions (5.5)	PFM 550	5.50	3,025.00
1/20/2015	Work through documents for depositions (4.2); conference call with B. Murphy, I. Colunga re depositions, discovery (.3); email to B. Murphy, I. Colunga re same (.2)	PFM 550	4.70	2,585.00
1/21/2015	Further work through documents for depositions (4.2); emails to/from opposing counsel re missing documents (.2); email to NTT counsel re missing documents (.2); email to Active counsel re missing documents (.1)	PFM 550	4.70	2,585.00
1/22/2015	Review of motion for class certification and memo in support (1.0)	KGL 500	1.00	500.00
		Total This Invoice		
		Job Balance Total		

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134 N LaSalle St Ste 1050
Chicago, IL 60602



Invoice

312.726.4162 (p)
312.674.7272 (f)

Invoice #: 563
Invoice Date: 6/26/2015
Due Date: 6/26/2015
Account #: 1036-18
Project: City of Chicago

Scott D.H. Redman

FEIN	redacted
paul@markleinlaw.com	

Date	Description	Attorney/Rate	Hours/Qty	Amount
1/22/2015	Review additional discovery responses from City (.1); emails to, telephone conference with, I. Colunga re same, withdrawing settlement demand, requesting 37.2 conference (.3); review additional documents disclosed by Active; emails to/from Active counsel re same (.8); review additional documents disclosed by NTT; emails from/to NTT counsel re same (.7); draft amended class cert. motion, brief, notice; email to opposing counsel re same; file (1.7); research re whereabouts of A. Esparza; draft subpoena, topics rider, document rider to Clarity Partners, notice of deposition (1.5); redacted (2.3)	PFM 550	7.40	4,070.00
1/23/2015	Telephone conference with I. Colunga re class docs (.2); review NTT objections to 30(b)(6) subpoena; emails to/from NTT counsel re same (.5); telephone conference with E. Marino re other NTT depositions (.1); redacted (3.0); emails with Active counsel re documents, deposition (.4); further review of documents for depositions (2.5)	PFM 550	6.70	3,685.00
1/24/2015	Further review of documents and prepare questions for depositions (5.0)	PFM 550	5.00	2,750.00
1/26/2015	Telephone conferences, emails re document production (various parties), depositions (various parties), settlement (1.2); further review of documents, prepare questions for depositions; research re PCI standards, gather documents re same (5.8)	PFM 550	7.00	3,850.00
1/27/2015	Review of court order (.1)	KGL 500	0.10	50.00
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Date	Description	Attorney/Rate	Hours/Qty	Amount
1/27/2015	Court appearance re amended motion for class cert. (1.0); email to opposing counsel re results, because they did not appear (.2); telephone conference with I. Colunga re same, depositions (.3); review order (.1); emails to D. Almeida re Active deposition (.2); emails/attachments, telephone conferences with E. Marino re NTT depositions, documents (.5); telephone conference with B. Murphy re settlement (.1); emails to/from client re same (.2); draft new demand letter (.4); further review of documents for depositions and prepare questions (9.5); email to I. Colunga, E. Marino re missing PCI submissions (.1)	PFM 550	12.60	6,930.00
1/28/2015	Prepare for and conduct deposition of T. Consola (4.0); review newly disclosed documents from City (1.5); email to opposing counsel re still missing documents (.3); review additional documents from NTT (.5); emails, telephone conferences with NTT counsel re same, confidentiality designation, depositions; review protective order (1.0); emails to/from, telephone conference with, client re redacted (.3); emails to/from Active counsel re deposition (.1); emails with opposing counsel re depositions (.2); further review of documents and prepare documents, questions for R. Ponce deposition (4.5)	PFM 550	12.40	6,820.00
		Total This Invoice		
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Date	Description	Attorney/Rate	Hours/Qty	Amount
1/29/2015	Preparation for deposition of R. Ponce (1.3); meeting with opposing counsel, deputy corporation counsel re settlement (1.0); emails, telephone conference with client re same (.2); emails/attachment to opposing counsel re depositions, counsel representation, settlement documents (.4); review settlement documents (1.8); telephone conference with NTT counsel re use of documents (.2); emails re suspending depositions (.3)	PFM 550	5.20	2,860.00
1/30/2015	Telephone conference with Active counsel re settlement, depositions (.3); telephone conference with B. Murphy re scope of plaintiff release (.1); emails, telephone conference with client re redacted (.4); emails with opposing counsel re same (.1); review proposed term sheet from opposing counsel; edit same; email to opposing counsel re same (1.0); voicemail to Clarity Partners re suspending deposition (.1)	PFM 550	1.60	880.00
2/6/2015	Review docs to find receipt from DoF and determine compliance (1.7); research re Clerk and DoF locations (.2); emails to/from opposing counsel re settlement documents, proposed locations included in settlement (.2)	PFM 550	2.10	1,155.00
2/10/2015	Email to opposing counsel re particular receipt (.1)	PFM 550	0.10	55.00
2/11/2015	Emails/attachment, telephone conference with I. Colunga re certain document/receipt (.3); review/analyze proposed defense edits to settlement docs; emails re same (2.5); email to M. Caines re notice/admin (.1)	PFM 550	2.90	1,595.00
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Date	Description	Attorney/Rate	Hours/Qty	Amount
2/17/2015	Review City edits; telephone conference with B. Murphy re same (2.0)	PFM 550	2.00	1,100.00
2/19/2015	Work on settlement docs (.5)	PFM 550	0.50	275.00
2/20/2015	Work on settlement documents; emails/attachments re same (3.5); draft motion to suspend discovery deadline, notice; emails/attachments, telephone conference re same (.8)	PFM 550	4.30	2,365.00
2/23/2015	Review of joint motion to stay (.1)	KGL 500	0.10	50.00
2/26/2015	Telephone conference with client re status (.1)	PFM 550	0.10	55.00
3/2/2015	Review of court order (.1)	KGL 500	0.10	50.00
3/2/2015	Review order (.1); email to opposing counsel re status (.1)	PFM 550	0.20	110.00
3/5/2015	Email to opposing counsel re delay (.1)	PFM 550	0.10	55.00
3/6/2015	Telephone conferences, emails/attachments re settlement agreement; revise same and peripheral documents (2.5)	PFM 550	2.50	1,375.00
3/9/2015	Review edits and commentary from opposing counsel re settlement documents (.4); revise same (.9); email/attachments to/from opposing counsel re same (.2); legal research re need to submit claim to have standing to object; emails/attachment, telephone conference, with opposing counsel re same (1.3)	PFM 550	2.80	1,540.00
3/10/2015	Emails to opposing counsel re edits to settlement agreement (.2)	PFM 550	0.20	110.00
3/16/2015	Review/edit latest draft of settlement documents; emails/attachments re same (2.5)	PFM 550	2.50	1,375.00
3/17/2015	Further edits to settlement documents; emails/attachments, telephone conference re same (1.5); draft motion for preliminary approval and supporting brief (3.0)	PFM 550	4.50	2,475.00
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			Job Balance Total	

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Date	Description	Attorney/Rate	Hours/Qty	Amount
3/18/2015	Email/attachment from opposing counsel re settlement agreement, City Council approval (.2)	PFM 550	0.20	110.00
3/31/2015	Review recent appellate opinion re redacted (.5)	PFM 550	0.50	275.00
4/2/2015	Telephone conference with B. Murphy re City Council approval, status hearing (.2)	PFM 550	0.20	110.00
4/3/2015	Communications with potential class administrators (.5)	PFM 550	0.50	275.00
4/7/2015	Telephone conference with R. DeWitte re notice (.1)	PFM 550	0.10	55.00
4/8/2015	Review/analyze CSA proposals; emails/attachments re same, revised RFPs (1.1)	PFM 550	1.10	605.00
4/14/2015	Emails from/to client re status of City Council approval (.2); review Finance Cmte. info. (.3); review KCC CSA revised proposal (.2)	PFM 550	0.70	385.00
4/15/2015	Telephone conference with Matt at CAA re CSA (.2)	PFM 550	0.20	110.00
4/24/2015	Telephone conference, emails/attachment re CSA (.2); emails to/from B. Murphy re upcoming status hearing (.2)	PFM 550	0.40	220.00
4/27/2015	Review order (.1)	PFM 550	0.10	55.00
5/12/2015	Meeting with M. Pohl of CAA re CSA (1.0)	PFM 550	1.00	550.00
5/13/2015	Review City Council docs re presentation of case (.3); email to client re same (.1)	PFM 550	0.40	220.00
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Date	Description	Attorney/Rate	Hours/Qty	Amount
5/15/2015	Attempted attendance at Finance Cmte. (rescheduled) (.4); telephone conferences, emails/attachments with opposing counsel re city council, motion for preliminary approval (.5); finalize motion for preliminary approval, exhibit, brief, notice (.7); attend Finance Cmte. meeting (.9); emails to/from client re redacted (.1)	PFM 550	2.60	1,430.00
5/19/2015	Review of e-mail and attachments from Paul (.4); review of e-mail from Bart Murphy (.1)	KGL 500	0.50	250.00
5/20/2015	Review of e-mail from Bart Murphy (.1); review of filings and tasks regarding filing of motion for preliminary approval and brief in support (.8)	KGL 500	0.90	450.00
5/27/2015	Review preliminary approval filings; email to client re hearing (.3)	PFM 550	0.30	165.00
5/28/2015	Review of proposed preliminary approval order (.1)	KGL 500	0.10	50.00
5/28/2015	Emails to/from opposing counsel re CAFA notice (.1); prepare for and attend preliminary approval hearing (2.0); email to client re approval (.1); emails/attachments with CSA re administration execution and planning (.6); revise proposed preliminary approval order, submit to court (.4)	PFM 550	3.20	1,760.00
5/29/2015	Emails re CSA (.3); review orders (.3); conference call with CSA employees re notice and admin (.5); emails/attachments with CSA employees re same, case docs (.3); revise notice, claim form vis-a-vis court-imposed deadlines, tax notice, CSA information (1.0); emails/attachments to opposing counsel re notice revision, funding (.3)	PFM 550	2.70	1,485.00
5/29/2015	Review of 2 court orders (.2)	KGL 500	0.20	100.00
		Total This Invoice		
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Date	Description	Attorney/Rate	Hours/Qty	Amount
6/2/2015	Email to opposing counsel re funding (.1)	PFM 550	0.10	55.00
6/3/2015	Review of court order (.1)	KGL 500	0.10	50.00
6/3/2015	Emails, telephone conferences with opposing counsel, CSA re funding, class notice (1.0)	PFM 550	1.00	550.00
6/5/2015	Telephone conferences, emails re class list (.5)	PFM 550	0.50	275.00
6/10/2015	Emails from/to, telephone conference with, opposing counsel re class list, missing information for some class members, potential solutions to that issue (1.0); emails, telephone conference with J. Dahl re same (.5)	PFM 550	1.50	825.00
6/11/2015	Telephone conference with I. Colunga re potential modifications of notice plan (.3)	PFM 550	0.30	165.00
6/16/2015	Email to opposing counsel re status (.1)	PFM 550	0.10	55.00
6/17/2015	Emails from/to I. Colunga, CSA re notice (.5)	PFM 550	0.50	275.00
6/18/2015	Emails/attachments, telephone conferences re class list, passport list, missing class members; notice options (2.0); draft proposed amendments to settlement agreement, published notice, amended preliminary approval order; email/attachments re same (2.5)	PFM 550	4.50	2,475.00
6/19/2015	Emails/attachments, telephone conferences with opposing counsel, CSA re revised notice plan, mailed notice, submitting issue to court (1.0); revise amendment to settlement agreement; draft motion for amended preliminary approval (1.5)	PFM 550	2.50	1,375.00
6/22/2015	Review of motion for settlement and notice of motion (.3)	KGL 500	0.30	150.00
		Total This Invoice		
		Job Balance Total		

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Date	Description	Attorney/Rate	Hours/Qty	Amount
6/22/2015	Emails/attachments re amendment, proposed order, motion, class notice (1.5); review/revise notice documents from CSA (3.5); revise/finalize motion for amended preliminary approval, notice, proposed order (.5)	PFM 550	5.50	3,025.00
6/23/2015	Emails/attachments to/from CSA re documents for settlement website (.3); legal research re and partial draft of fee brief (4.8)	PFM 550	5.10	2,805.00
6/24/2015	Legal research re and further drafting of fee petition (3.5); review records re witness fees; emails and letter re same (.7)	PFM 550	4.20	2,310.00
6/25/2015	Review of e-mail and attachments to judge (.1); review of court order (.1)	KGL 500	0.10	50.00
6/25/2015	Preparation for and attend court hearing re motion for amended preliminary approval (1.5); emails/attachments, telephone calls with I. Colunga, B. Murphy, various CSA representatives re class notice issues, including finalization, class member location, publication notice inquiry by the court (2.0); further work on fee brief, including research re recent fee surveys and matrices; draft fee declaration (3.2); communications re return of witness fee checks (.4)	PFM 550	7.10	3,905.00
5/27/2013	Messenger-court	Reimb Group		5.66
6/17/2013	Filing Fee			400.00
7/22/2013	Messenger-court			5.66
9/30/2013	Messenger to court			5.66
11/11/2013	Messenger-federal court			5.66
10/31/2014	Messenger-federal court			5.35
1/15/2015	Deposition Witness Fee			51.50
1/22/2015	Witness Fee-Deposition			41.00
		Total This Invoice		
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Date	Description	Attorney/Rate	Hours/Qty	Amount
1/30/2015	Court reporter appearance-Tina Consola dep			218.75
1/31/2015	Messenger-Jones Day			6.06
1/31/2015	Messenger-Ice Miller			5.35
1/31/2015	Messenger-Sheppard Mullin			6.06
1/31/2015	Messenger-Jones Day			5.35
1/31/2015	Messenger-courthouse			5.35
	Total Reimbursable Expenses			767.41
		Total This Invoice		\$254,212.41
		Job Balance Total		\$254,212.41

SALARY TABLE 2015-CHI
INCORPORATING THE 1% GENERAL SCHEDULE INCREASE AND A LOCALITY PAYMENT OF 25.10%
FOR THE LOCALITY PAY AREA OF CHICAGO-NAPERVILLE-MICHIGAN CITY, IL-IN-WI
TOTAL INCREASE: 1%
EFFECTIVE JANUARY 2015

Annual Rates by Grade and Step

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$ 22,719	\$ 23,479	\$ 24,234	\$ 24,986	\$ 25,742	\$ 26,185	\$ 26,932	\$ 27,685	\$ 27,713	\$ 28,413
2	25,544	26,152	26,998	27,713	28,026	28,851	29,675	30,499	31,324	32,148
3	27,871	28,801	29,730	30,660	31,589	32,518	33,448	34,377	35,307	36,236
4	31,289	32,332	33,375	34,419	35,462	36,505	37,549	38,592	39,635	40,679
5	35,005	36,173	37,340	38,507	39,674	40,841	42,009	43,176	44,343	45,510
6	39,021	40,322	41,623	42,924	44,225	45,526	46,827	48,128	49,430	50,731
7	43,362	44,807	46,252	47,697	49,142	50,587	52,032	53,476	54,921	56,366
8	48,022	49,623	51,225	52,826	54,427	56,029	57,630	59,231	60,832	62,434
9	53,041	54,809	56,576	58,344	60,112	61,879	63,647	65,415	67,182	68,950
10	58,410	60,357	62,304	64,250	66,197	68,143	70,090	72,036	73,983	75,929
11	64,174	66,313	68,452	70,591	72,731	74,870	77,009	79,148	81,287	83,427
12	76,919	79,484	82,048	84,613	87,177	89,742	92,306	94,871	97,435	100,000
13	91,467	94,516	97,564	100,613	103,662	106,710	109,759	112,808	115,856	118,905
14	108,085	111,688	115,291	118,894	122,497	126,100	129,702	133,305	136,908	140,511
15	127,139	131,378	135,616	139,854	144,093	148,331	152,569	156,808	158,700 *	158,700 *

* Rate limited to the rate for level IV of the Executive Schedule (5 U.S.C. 5304 (g)(1)).

Applicable locations are shown on the 2015 Locality Pay Area Definitions page: <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2015/locality-pay-area-definitions/>

SALARY TABLE 2015-DCB
INCORPORATING THE 1% GENERAL SCHEDULE INCREASE AND A LOCALITY PAYMENT OF 24.22%
FOR THE LOCALITY PAY AREA OF WASHINGTON-BALTIMORE-NORTHERN VIRGINIA, DC-MD-VA-WV-PA
TOTAL INCREASE: 1%
EFFECTIVE JANUARY 2015

Annual Rates by Grade and Step

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$ 22,560	\$ 23,314	\$ 24,064	\$ 24,810	\$ 25,561	\$ 26,000	\$ 26,742	\$ 27,490	\$ 27,518	\$ 28,213
2	25,364	25,968	26,808	27,518	27,829	28,648	29,466	30,285	31,103	31,922
3	27,675	28,598	29,521	30,444	31,367	32,290	33,213	34,136	35,059	35,982
4	31,069	32,105	33,141	34,177	35,213	36,249	37,285	38,321	39,357	40,393
5	34,759	35,918	37,077	38,236	39,395	40,554	41,713	42,872	44,031	45,190
6	38,747	40,039	41,330	42,622	43,914	45,206	46,498	47,790	49,082	50,374
7	43,057	44,492	45,927	47,361	48,796	50,231	51,666	53,100	54,535	55,970
8	47,684	49,274	50,864	52,454	54,044	55,634	57,224	58,814	60,404	61,994
9	52,668	54,423	56,178	57,934	59,689	61,444	63,199	64,955	66,710	68,465
10	58,000	59,932	61,865	63,798	65,731	67,664	69,597	71,530	73,462	75,395
11	63,722	65,847	67,971	70,095	72,219	74,343	76,467	78,592	80,716	82,840
12	76,378	78,924	81,471	84,017	86,564	89,110	91,657	94,203	96,750	99,296
13	90,823	93,851	96,878	99,905	102,932	105,960	108,987	112,014	115,041	118,069
14	107,325	110,902	114,480	118,057	121,635	125,213	128,790	132,368	135,945	139,523
15	126,245	130,453	134,662	138,871	143,079	147,288	151,496	155,705	158,700 *	158,700 *

* Rate limited to the rate for level IV of the Executive Schedule (5 U.S.C. 5304 (g)(1)).

Applicable locations are shown on the 2015 Locality Pay Area Definitions page: <http://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2015/locality-pay-area-definitions/>

LAFFEY MATRIX – 2014-2015

Years (Rate for June 1 – May 31, based on prior year's CPI-U)

Experience	14-15
20+ years	520
11-19 years	460
8-10 years	370
4-7 years	300
1-3 years	255
Paralegals & Law Clerks	150

Explanatory Notes:

1. This matrix of hourly rates for attorneys of varying experience levels and paralegals/law clerks has been prepared by the Civil Division of the United States Attorney's Office for the District of Columbia. The matrix is intended to be used in cases in which a "fee-shifting" statute permits the prevailing party to recover "reasonable" attorney's fees. *See, e.g.*, 42 U.S.C. § 2000e-5(k) (Title VII of the 1964 Civil Rights Act); 5 U.S.C. § 552(a)(4)(E) (Freedom of Information Act); 28 U.S.C. § 2412(b) (Equal Access to Justice Act). The matrix does **not** apply to cases in which the hourly rate is limited by statute. *See* 28 U.S.C. § 2412(d).
2. This matrix is based on the hourly rates allowed in *Laffey v. Northwest Airlines, Inc.*, 572 F. Supp. 354 (D.D.C. 1983), *aff'd in part, rev'd in part on other grounds*, 746 F.2d 4 (D.C. Cir. 1984), *cert. denied*, 472 U.S. 1021 (1985). It is commonly referred to by attorneys and federal judges in the District of Columbia as the "Laffey Matrix" or the "United States Attorney's Office Matrix." The various "brackets" in the column headed "Experience" refer to the years following the attorney's graduation from law school, and are intended to correspond to "junior associates" (1-3 years after law school graduation), "senior associates" (4-7 years), "experienced federal court litigators" (8-10 and 11-19 years), and "very experienced federal court litigators" (20 years or more). Thus, the "1-3 years" bracket is generally applicable to attorneys in their first, second, and third years after graduation from law school, and the "4-7 years" bracket generally becomes applicable on the third anniversary of the attorney's graduation (*i.e.*, at the beginning of the fourth year following law school). *See Laffey*, 572 F. Supp. at 371; *but cf. EPIC v. Dep't of Homeland Sec.*, No. 11-2261, ___ F. Supp. 2d ___, 2013 WL 6047561, *6 -*7 (D.D.C. Nov. 15, 2013) (attorney not admitted to bar compensated at "Paralegals & Law Clerks" rate); *EPIC v. Dep't of Homeland Sec.*, 982 F. Supp.2d 56, 60-61 (D.D.C. 2013) (same).
3. The hourly rates approved in *Laffey* were for work done principally in 1981-82. The matrix begins with those rates. *See Laffey*, 572 F. Supp. at 371 (attorney rates) & 386 n.74 (paralegal and law clerk rate). The rates for subsequent yearly periods were determined by adding the change in the cost of living for the Washington, D.C. area to the applicable rate for the prior year, and then rounding to the nearest multiple of \$5 (up if within \$3 of the next multiple of \$5). The result is subject to adjustment if appropriate to ensure that the relationship between the highest rate and the lower rates remains reasonably constant. Changes in the cost of living are measured by the Consumer Price Index for All Urban Consumers (CPI-U) for Washington-Baltimore, DC-MD-VA-WV, as announced by the Bureau of Labor Statistics for May of each year.
4. Use of an updated Laffey Matrix was implicitly endorsed by the Court of Appeals in *Save Our Cumberland Mountains v. Hodel*, 857 F.2d 1516, 1525 (D.C. Cir. 1988) (en banc). The Court of Appeals subsequently stated that parties may rely on the updated *Laffey* Matrix prepared by the United States Attorney's Office as evidence of

prevailing market rates for litigation counsel in the Washington, D.C. area. *See Covington v. District of Columbia*, 57 F.3d 1101, 1105 & n.14, 1109 (D.C. Cir. 1995), *cert. denied*, 516 U.S. 1115 (1996). Most lower federal courts in the District of Columbia have relied on the United States Attorney's Office Matrix, rather than the so-called "Updated Laffey Matrix," as the "benchmark for reasonable fees" in this jurisdiction. *Miller v. Holzmann*, 575 F. Supp. 2d 2, 18 n.29 (D.D.C. 2008) (quoting *Pleasants v. Ridge*, 424 F. Supp. 2d 67, 71 n.2 (D.D.C. 2006)); *see, e.g., Berke v. Bureau of Prisons*, 942 F. Supp. 2d 71, 77 (D.D.C. 2013); *Heller v. District of Columbia*, 832 F. Supp. 2d 32, 40-49 (D.D.C. 2011); *American Lands Alliance v. Norton*, 525 F. Supp. 2d 135, 150 (D.D.C. 2007). *But see Salazar v. District of Columbia*, 123 F. Supp. 2d 8, 14-15 (D.D.C. 2000). The United States Attorney's Office does not use the "Updated Laffey Matrix" to determine whether fee awards under fee shifting statutes are reasonable.

LAFFEY MATRIX

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			Years Out of Law School *				
Year	Adjustmt Factor**	Paralegal/ Law Clerk	1-3	4-7	8-10	11-19	20 +
6/01/14- 5/31/15	1.0235	\$179	\$328	\$402	\$581	\$655	\$789
6/01/13- 5/31/14	1.0244	\$175	\$320	\$393	\$567	\$640	\$771
6/01/12- 5/31/13	1.0258	\$170	\$312	\$383	\$554	\$625	\$753
6/01/11- 5/31/12	1.0352	\$166	\$305	\$374	\$540	\$609	\$734
6/01/10- 5/31/11	1.0337	\$161	\$294	\$361	\$522	\$589	\$709
6/01/09- 5/31/10	1.0220	\$155	\$285	\$349	\$505	\$569	\$686
6/01/08- 5/31/09	1.0399	\$152	\$279	\$342	\$494	\$557	\$671
6/01/07-5/31/08	1.0516	\$146	\$268	\$329	\$475	\$536	\$645
6/01/06-5/31/07	1.0256	\$139	\$255	\$313	\$452	\$509	\$614
6/1/05-5/31/06	1.0427	\$136	\$249	\$305	\$441	\$497	\$598
6/1/04-5/31/05	1.0455	\$130	\$239	\$293	\$423	\$476	\$574
6/1/03-6/1/04	1.0507	\$124	\$228	\$280	\$405	\$456	\$549
6/1/02-5/31/03	1.0727	\$118	\$217	\$267	\$385	\$434	\$522
6/1/01-5/31/02	1.0407	\$110	\$203	\$249	\$359	\$404	\$487
6/1/00-5/31/01	1.0529	\$106	\$195	\$239	\$345	\$388	\$468
6/1/99-5/31/00	1.0491	\$101	\$185	\$227	\$328	\$369	\$444
6/1/98-5/31/99	1.0439	\$96	\$176	\$216	\$312	\$352	\$424
6/1/97-5/31/98	1.0419	\$92	\$169	\$207	\$299	\$337	\$406
6/1/96-5/31/97	1.0396	\$88	\$162	\$198	\$287	\$323	\$389
6/1/95-5/31/96	1.032	\$85	\$155	\$191	\$276	\$311	\$375
6/1/94-5/31/95	1.0237	\$82	\$151	\$185	\$267	\$301	\$363

Exhibit 4

The methodology of calculation and benchmarking for this Updated Laffey Matrix has been approved in a number of cases. See, e.g., *McDowell v. District of Columbia, Civ. A. No. 00-594 (RCL)*, LEXSEE 2001 U.S. Dist. LEXIS 8114 (D.D.C. June 4, 2001); *Salazar v. Dist. of Col.*, 123 F.Supp.2d 8 (D.D.C. 2000).

** “Years Out of Law School” is calculated from June 1 of each year, when most law students graduate. “1-3” includes an attorney in his 1st, 2nd and 3rd years of practice, measured from date of graduation (June 1). “4-7” applies to attorneys in their 4th, 5th, 6th and 7th years of practice. An attorney who graduated in May 1996 would be in tier “1-3” from June 1, 1996 until May 31, 1999, would move into tier “4-7” on June 1, 1999, and tier “8-10” on June 1, 2003.*

*** The Adjustment Factor refers to the nation-wide Legal Services Component of the Consumer Price Index produced by the Bureau of Labor Statistics of the United States Department of Labor.*

**SUMMARY**

REDMAN V. CITY OF CHICAGO

Key Assumptions / Fees / Filing Options

FEE SUMMARY

20% Claims Filing Rate

APRIL 24, 2015

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KEY ASSUMPTIONS	Assumption	Amount
Notice		
Notice Packet		19,044
Returned as Undeliverable	10% of notices mailed	1,904
Located and Remaild	72% of notices returned	1,362
Communications		
Website	Online with Claims Filing and Opt-Outs	
Telephone	3% of notices mailed	476
Exclusions / Objections		19
Correspondence		25
Emails		190
Claims Filed	20% of notices mailed	3,809
Check, Tax Document (if required) and Cover Letter		3,809

FEE SUMMARY	Assumption	Rate	Amount
Project Management (Blended Rate)	38 hours @	\$ 153	\$ 5,825
Special Projects / Client Requests		As Requested by Client	
Notice			
Data / National Change of Address / Postal Processing	19,044 records @	0.03	600
Mailed Notice			
Notice Layout			250
Notice	19,044 notices @	0.67	12,684
Undeliverable Processing and Remailing	1,904 notices @	1.05	2,007
Communications			
Website			1,800
Telephone (IVR Only)	476 calls @	2.96	1,407
Exclusions / Objections	19 forms @	6.50	124
Correspondence	25 letters @		100
Emails	190 emails @	3.00	571
Claim Processing	3,428 claims @	0.59	2,014
Distribution	3,809 payments @	1.55	5,915
Out-Of-Pocket Expenses and Other Charges			As Incurred
TOTAL FEES AND EXPENSES	19,044 Class Members	\$ 1.79	\$ 34,048
TOTAL CAPPED FEES AND EXPENSES	10% over estimated fees		37,453

Exhibit 5

**SUMMARY**

REDMAN V. CITY OF CHICAGO

Key Assumptions / Fees / Filing Options

FEE SUMMARY

20% Claims Filing Rate

APRIL 24, 2015

FILING SENSITIVITY	Claim Filing Percentage		
	10%	20%	40%
<u>Fees for 19,044 Class Members at a 10% and 20% and 40% Filing Rate</u>			
Notices Mailed	19,044	19,044	19,044
Claims Filed	1,904	3,809	7,618
Fees	\$ 34,663	\$ 37,453	\$ 43,034
Capped Fees and Expenses	\$ 38,129	\$ 41,198	\$ 47,337

**DETAILED ASSUMPTIONS**

REDMAN V. CITY OF CHICAGO

FEE SUMMARY

APRIL 24, 2015

DETAILED ASSUMPTIONS		Assumption	Count
CLASS MEMBER DATA			
Number of Class Members		100% of class list	19,044
NOTICE PACKETS MAILED			
Initial Mailing		100% of class list	19,044
Notice Remail Requests			20
UNDELIVERABLE NOTICE PROCESSING			
Returned as Undeliverable		10.0% of notices mailed	1,904
Forwarded		5.0% of undeliverable	95
Trace		95.0% of undeliverable	1,809
Located and Remailed		70.0% of traced	1,266
COMMUNICATIONS			
Website		Online with Claims Filing and Opt-Outs	
Telephone		IVR / Transfer to Counsel	
Message / IVR		2.5% of notices mailed	476
Exclusions / Objections		0.1% of notices mailed	19
Correspondence		0.3% of notices mailed	25
Emails		1.0% of notices mailed	190
CLAIM PROCESSING			
Paper Claims			
No Document Review		100.0% of paper claims	381
Paper Claims		10.0% of claims filed	381
On-Line Claims		90.0% of claims filed	3,428
Claims Filed		20.0% of notices mailed	3,809
DISTRIBUTION			
Check, Tax Document (if required) and Cover Letter		100.0% of valid claims	3,809
Returned as Undeliverable		1.0% of checks mailed	38
Located and Remailed		80% of undeliverable	30



DETAILED FEE ESTIMATE

REDMAN V. CITY OF CHICAGO

FEE SUMMARY

APRIL 24, 2015

PROJECT MANAGEMENT ²		Hours	Rate	Amount
PROJECT MANAGEMENT				
Partner		5.0	\$ 175	\$ 875
Technical Support		8.0	\$ 150	\$ 1,200
Project Management		25.0	150	3,750
TOTAL PROJECT MANAGEMENT		38.0	\$ 153	\$ 5,825
SPECIAL PROJECTS / CLIENT REQUESTS		Hours	Rate	Amount
SPECIAL PROJECTS / CLIENT REQUESTS		As Requested by Client		
TOTAL SPECIAL PROJECTS / CLIENT REQUESTS		-	-	\$ -
NOTICE		Hours/Count	Rate	Amount
CLASS MEMBER DATA³				
Initial Mailing Lists - Per File		3.0	\$ 150	\$ 450
Postal Processing (CASS/DPV/NCOA)		19,044	0.008	150
Total Data		19,044	\$ 0.032	\$ 600
NOTICE LAYOUT AND DESIGN⁴		<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Layout Notice		2.0	\$ 125	\$ 250
Total Notice Layout and Design		2.0	\$ 125	\$ 250
MAILED PACKET PRINTING AND MAILING⁴		<u>Count</u>	<u>Rate</u>	<u>Amount</u>
<u>Notice Packet</u>	<i>4 page notice / 1 page custom claim form, #10 window envelope</i>			
Printing		19,044	0.210	\$ 3,999
Mailing Fee		19,044	0.050	952
First Class Postage		19,044	0.490	9,332
Presort Discount		19,044	(0.085)	(1,619)
Notice Requests		20	1.000	20
Total Packets Mailed		19,064	\$ 0.665	\$ 12,684
UNDELIVERABLE NOTICE PROCESSING		<u>Count</u>	<u>Rate</u>	<u>Amount</u>
Receipt and Update Database	Assumption: 10.0% of notices mailed	1,904	\$ 0.250	\$ 476
Trace	95.0% of undeliverable	1,809	0.250	452
Remail				
Forwarding	5.0% of undeliverable	95	1.000	95
Traced	70.0% of undeliverable	1,266	0.250	317
First Class Postage		1,362	0.490	667
Total Undeliverable Notice Processing		1,904	\$ 1.054	\$ 2,007
TOTAL NOTICE				\$ 15,542



DETAILED FEE ESTIMATE

REDMAN V. CITY OF CHICAGO

FEE SUMMARY

APRIL 24, 2015

COMMUNICATIONS

WEBSITE

	Assumption	Months	Rate	Amount
On-Line Filing	online with filing and opt-outs			1,500
Monthly Fee - On-Line Filing		6	50	300
Total Website		6	\$ 300	\$ 1,800

TELEPHONE^b

	Assumption	Hours	Rate	Amount
System Programming and Set-up				\$ 750
Monthly Fee	\$ 50 per month	6	50	300
		<u>Calls</u>	<u>Minutes</u>	
Message / IVR		476	3.0	0.25 \$ 357
Total Telephone		476	\$ 2.96	\$ 1,407

EXCLUSIONS AND OBJECTIONS

	Assumption	Count	Rate	Amount
Receipt		19	\$ 0.500	\$ 10
Image Letter and Envelope	2 pages	38	0.500	19
Process	20 forms per hour @ \$100/hr	19	5.000	95
Total Exclusions and Objections		19	\$ 6.500	\$ 124

CORRESPONDENCE

	Assumption	Count	Rate	Amount
Receipt		25	\$ 0.500	\$ 13
Image Letter and Envelope	2 pages	50	0.500	25
Process and Mail Response	20 forms per hour @ \$50/hr	25	2.500	63
Total Correspondence		25	\$ 4.000	\$ 100

EMAILS

	Assumption	Count	Rate	Amount
Print		190	\$ 0.500	\$ 95
Process and Email Response	20 emails per hour @ \$50/hr	190	2.500	476
Total Emails		190	\$ 3.000	\$ 571

TOTAL COMMUNICATIONS

\$ 4,002

CLAIM FORM PROCESSING⁷

SET-UP PROCEDURES / OVERSIGHT / QC	4.0 hours @	2.0	\$ 150	300
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CLAIM RECEIPT

Open, Number, Sort, Batch and Box for Processing		381	\$ 0.25	\$ 95
Total Claim Receipt		381	\$ 0.250	\$ 95

CLAIM PROCESSING / VALIDATION

		Count	Rate	Amount
Paper				
No Document Review	30 claims per hour	381	\$ 2.000	\$ 762
Online		3,428	0.250	857
Total Validation		3,428	\$ 0.472	\$ 1,619

TOTAL CLAIM PROCESSING

3,428 \$ 0.588 \$ 2,014



DETAILED FEE ESTIMATE

REDMAN V. CITY OF CHICAGO

FEE SUMMARY

APRIL 24, 2015

TAX⁸				
TAX OPINION AND TAX FILINGS	<u>Assumption</u>	<u>Count</u>	<u>Rate</u>	<u>Amount</u>
Qualified Settlement Fund Annual Filing	1 returns	1	250	250
Prepare and File 1099 Return	1 returns		500	500
TOTAL TAX			\$	750

DISTRIBUTION				
PAYMENT CALCULATION / MANAGEMENT	<u>Hours</u>		<u>Rate</u>	<u>Amount</u>
Design Distribution Forms	1.0	\$	150	\$ 150
Calculate Awards	3.0		150	450
Prepare Award Report	1.0		150	150
Total Payment Calculation	5.0	\$	150	\$ 750
PAYMENTS / LETTERS	<u>Count</u>		<u>Rate</u>	<u>Amount</u>
Payment and Cover Letters	3,809	\$	0.300	\$ 1,143
First Class Postage	3,809		0.490	1,866
Postage Discounts	3,809		(0.075)	(286)
Total Payments / Letters Sent	3,809	\$	0.715	\$ 2,723
UNDELIVERABLE PAYMENT PROCESSING	<u>Count</u>		<u>Rate</u>	<u>Amount</u>
Returned as Undeliverable	38	\$	2.000	\$ 76
Located - Remaild	6		1.000	6
Total Undeliverable Payment Processing	38	\$	2.158	\$ 82
BANK FEES	<u>Count</u>		<u>Rate</u>	<u>Amount</u>
Set-Up QSF Fund	1	\$	200	\$ 200
Bank Fees	4 months	4	200	800
Account Reconciliation and Reporting	4 weeks	4	200	800
Clearing Fee	98% of checks mailed	3,733	0.15	560
Total Bank Fees				\$ 2,360
TOTAL DISTRIBUTION	3,809	\$	1.553	\$ 5,915

OUT-OF-POCKET EXPENSES AND OTHER CHARGES⁹				
OUT-OF-POCKET EXPENSES AND OTHER CHARGES				<u>Amount</u>
Post Office Box Rental (6 Months)				Included
Other (postage, overnight deliveries, travel, and other charges and expenses)				As Incurred
TOTAL OUT-OF-POCKET EXPENSES AND OTHER CHARGES			\$	-
TOTAL FEES	19,044	\$	1.788	\$ 34,048

**TERMS****REDMAN V. CITY OF CHICAGO****FEE SUMMARY****APRIL 24, 2015****TERMS**

1. Class size is estimated. Fees will be revised after the class size is known.
2. Standard Hourly Rates are:

Partner	\$ 250
Principal	\$ 200
Senior Project Manager	\$ 175
Technical Support	\$ 165
Project Manager	\$ 125 - \$150
Staff	\$ 40 - \$ 85

Project Management, special projects, client requests and set-up fees are estimated and will be billed at actual hours based on the rates listed above.
3. Fees assume data is received complete, standardized and in a format required to mail and calculate payments. Additional data processing fees will be based on the rates above.
4. Notice design, pricing and postage is estimated based on information provided by Counsel. Actual prices will be provided, prior to mailing and after the Notice layout is finalized.
5. Published Notice fees are estimated based on information provided by Counsel. Actual prices will be provided, prior to publishing the Notice after the Notice layout is finalized.
6. Telephone calls will be bill per minute of call handling time at the rates listed on page 4. There is a monthly minimum of \$100 for call center services.
7. Claim, Deficiency, Rejection and Appeal Processing are estimated based on information that is currently known. Actual rates will be provided after the Claim Form is finalized and processing procedures determined.
8. Preparation and filing of tax returns are billed at actual cost.
8. Out-of-Pocket Expenses including post office box rental, postage, overnight deliveries, travel and other charges and expenses will be billed at actual cost.